



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution approving the FY2018 Consolidated Plan and accepting and appropriating anticipated FY2018 Community Development Block Grant (CDBG) funds in the amount of \$6,005,781.00, CDBG Program Income in the amount of \$1,000,000.00, HOME funds in the amount of \$2,554,026.00, HOME Program Income in the amount of \$100,000.00, Emergency Solutions Grant (ESG) funds in the amount of \$549,071.00, and Housing Opportunities for Persons With AIDS (HOPWA) funds in the amount of \$ \$3,545,213.00 from the U.S. Department of Housing and Urban Development (HUD) to the FY2018 budget for the Division of Housing and Community Development.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this requires a new contract, or amends an existing contract, if applicable.

N/A

5. State whether this requires an expenditure of funds/requires a budget amendment.

N/A



**RESOLUTION APPROVING PROPOSED CONSOLIDATED PLAN
FY 2018 ANNUAL ACTION PLAN
AND APPROPRIATING FEDERAL ENTITLEMENT FUNDS TO THE FY 2018
HOUSING AND COMMUNITY DEVELOPMENT BUDGET**

WHEREAS, the purpose of the City of Memphis' Consolidated Plan for Housing and Community Development is to foster the development of viable urban neighborhoods which include decent housing for everyone, a suitable living environment, and expanded economic opportunities, especially for low and moderate income citizens; and

WHEREAS, specific projects and activities within the Consolidated Plan FY 2018 Annual Action Plan address the needs of low and moderate income persons through goals, objectives, priorities, and strategies for housing, community and public services, assistance for the homeless and special needs populations, neighborhood, economic and community development; and

WHEREAS, projects and activities proposed to be implemented in the Consolidated Plan FY 2018 Annual Action Plan will draw upon and augment the resources of the public, private, and nonprofit sectors to meet low and moderate income needs in the community; and

WHEREAS, the plan contains a description of anticipated federal, state, and local housing resources for FY 2018, including Community Development Block Grant (CDBG) funds received under Title I of the Housing and Community Development Act of 1974, HOME funds received under Title II of the National Affordable Housing Act of 1990, Emergency Solutions Grant (ESG) funds authorized under the HEARTH Act of 2009, and Housing Opportunities for Person With AIDS (HOPWA) funds, as shown in the following tables:

Estimated FY 2018 Funds to be received from HUD

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$6,005,781.00	44%
Projected CDBG Program Income	\$1,000,000.00	7%
HOME Program	\$2,554,026.00	19%
Projected HOME Program Income	\$100,000.00	1%
ESG Program	\$549,071.00	4%
HOPWA	\$3,545,213.00	25%
TOTAL	\$13,754,091.00	100%

;and

Resolution-Division of Housing and Community Development

WHEREAS, the plan identifies and describes the following priority areas of projects and activities to be implemented in FY 2018 by the federal entitlement funds received from the U.S Department of Housing and Urban Development (HUD):

FY 2018 Priority Areas

Priority Need Category	Proposed Expenditures	Percentages
Housing	\$4,715,946.00	34%
Homeless	\$1,135,592.00	8%
Special Needs	\$3,724,557.00	27%
Neighborhood, Economic, & Community Development	\$2,303,263.00	17%
General Administration & Planning	\$1,874,733.00	14%
TOTAL	\$13,754,091.00	100.00%

and,

WHEREAS, the Consolidated Plan FY 2018 Annual Action Plan includes and was developed within a framework of a citizen participation plan, requiring consultation with citizens and other social service and housing agencies; and

WHEREAS, the Consolidated Plan FY 2018 Annual Action Plan was available for a 30-day public review and comment period beginning April 6, 2017 and ending May 8, 2017, and

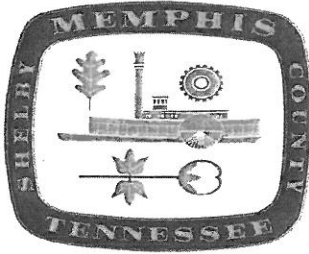
WHEREAS, the CDBG entitlement, estimated program income, the HOME, ESG, and HOPWA entitlement grants must be appropriated in the FY 2018 Operating Budget for HCD.

NOW, THEREFORE, BE IT RESOLVED that the Council and the City of Memphis hereby adopts and approves the proposed Consolidated Plan FY 2018 Annual Action Plan.

BE IT FURTHER RESOLVED that there be and is hereby accepted and appropriated the amount of **\$13,754,091.00** by federal resources for FY 2018, including Community Development Block Grant (CDBG) funds, Projected Program Income from CDBG and HOME, HOME Program funds, Emergency Solutions Grant (ESG) funds, and Housing Opportunities for Person With AIDS (HOPWA) chargeable to the FY 2018 Operating Budget and credited as follows:

Program Name	Estimated Funds	Percent of Total
CDBG Program	\$6,005,781.00	44%
Projected CDBG Program Income	\$1,000,000.00	7%
HOME Program	\$2,554,026.00	19%
Projected HOME Program Income	\$100,000.00	1%
ESG Program	\$549,071.00	4%
HOPWA	\$3,545,213.00	25%
TOTAL	\$13,754,091.00	100%

Memphis City Council Summary Sheet



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to align storm emergency funding, previously approved by Council, with specific divisions

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Finance Division

3. State whether this is a change to an existing ordinance or resolution, if applicable.

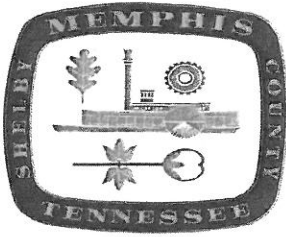
No

4. State whether this requires a new contract, or amends an existing contract, if applicable.

No

5. State whether this requires an expenditure of funds/requires a budget amendment.

Yes funding of \$6.0 million has been approved on 5/27/2017 by Council



Resolution Modifying the Approved Supplemental Funding to The FY 2017 Budget to The Public Works Division for Storm Response and Cleanup

WHEREAS, on Saturday, May 27, 2017 Memphis was hit by large thunderstorms with up to 80MPH straight-line winds causing trees to topple, utility poles to fall, causing massive power outages to 190,000 MLGW customers, and destroying and damaging private and public property; and

WHEREAS, on June 6, 2017 the City Council approved \$6.0 million in supplemental funding, from reserves, to the FY17 City Of Memphis operating budget for the Public Works Division to provide clean-up and debris removal ; and

WHEREAS, the administration has contacted other divisions that may have been impacted by the storm, to identify the specific expenditures requiring additional funding resulting from the storm;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the following Division(s) FY17 operating budgets be amended, from the reserve fund, for their additional unexpected expenditures in responding to the May 27th storm:

Engineering: Signal Maintenance

051202 (Overtime) \$103,350

052950 (Services and Charges) \$225,000

Public Works: Street Maintenance

051202 (overtime) \$270,600

052528 (Professional Services) \$65,000

052342 (Supplies) \$10,600

Memphis City Council Summary Sheet



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to provide cash flow to Grant Funded Operations for grants that reimburse after expenditures are incurred

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Finance Division

3. State whether this is a change to an existing ordinance or resolution, if applicable.

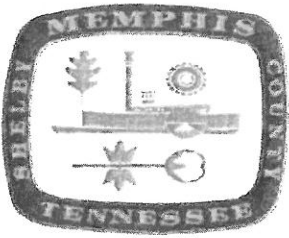
No

4. State whether this requires a new contract, or amends an existing contract, if applicable.

No

5. State whether this requires an expenditure of funds/requires a budget amendment.

Yes , however no expenditure will be made if funds are reimbursed before 6/30/2017



**Resolution to provide cash flow to Grant
Funded Operations for grants that reimburse after
expenditures are incurred**

WHEREAS, the Finance Division monitors the City's financial performance for all funds;
and

WHEREAS, the Finance Division performs monthly reviews of each Fund of City Government , including current revenues, expenditures, and provides forecasts of anticipated fiscal year-end outcomes for each Fund; and

WHEREAS, the grant reimbursement cycles may cause a cash flow deficiency for the Workforce Investment Network, and the Miscellaneous Grant Fund at June 30,2017; and

WHEREAS, it is necessary to amend the Fiscal Year 2017 General Operating Budget to provide additional cash flow resources to cover the potential cash flow difference to avoid a negative cash or fund balance at the fiscal year-end ; and

NOW, THEREFORE BE IT RESOLVED that the WIN fund and the Miscellaneous Grant fund be provided up to \$2.0 million each for cash flow purposes to bridge the potential cash flow gap; and

BE IT FURTHER RESOLVED by the Council of the City of Memphis that should the Federal programs cease operations that the cash provided by this action will revert to the City of Memphis General Fund.

RESOLUTION AUTHORIZING ADDITIONAL TAX EQUIVALENT PAYMENT TO THE CITY OF MEMPHIS FROM THE CITY'S GAS SYSTEM FOR FISCAL YEAR 2017

WHEREAS, the Council approved by resolution dated May 9, 2017 a Tax Equivalent Payment in the total amount of \$18,800,000.00 for FY 2017 from the City's Gas System (the "PILOT Resolution");

WHEREAS, MLGW has already paid each other taxing jurisdiction in Shelby County a portion of the total tax equivalent payment that was calculated in the May 9, 2017 Resolution using such jurisdictions' respective tax rates and/or in accordance with the terms, conditions, contracts or agreements then in effect;

WHEREAS, MLGW has already paid the City the balance of the total tax equivalent payment that was calculated in the May 9, 2017 Resolution, which was not paid to each other taxing jurisdiction in Shelby County;

WHEREAS, MLGW customers in the City recently experienced substantial property damage and loss of utility services due to a major storm on May 30, 2017;

WHEREAS, on June 6, 2017 the Council appropriated \$3,000,000 from the City's General Fund reserves for its Public Works Division to provide storm response and cleanup in and around the City's properties and rights of way to aid MLGW in gaining access to properties damaged by the storm in which damaged gas and electric systems may have created dangerous conditions on said properties;

IT IS HEREBY RESOLVED BY THE MEMPHIS CITY COUNCIL AS FOLLOWS:

1. That the City does hereby authorize and direct MLGW to make an additional Tax Equivalent Payment to the City's General Fund from the Gas System in the amount of \$350,000 on or before June 30, 2017 for FY 2017 (the "Payment").

2. The City Council hereby declares, in its discretion, that the Payment will represent the fair cost of general government to be borne by the Gas System for FY 2017 when combined with amounts previously declared as Gas Tax Equivalents for FY 2017 as a direct result of costs borne solely by the City in storm damage response and clean up.

3. The Council further declares that the Payment represents amounts due the City over and above Tax Equivalents due any other taxing jurisdiction in Shelby County to partly reimburse the City for its direct expenditures made to facilitate the immediate remediation of damaged gas and electric systems, which may have created dangerous conditions on properties of MLGW's customers that were destroyed or substantially damaged during the Storm.

Sponsor:
Chairman, Budget Committee
Chairman, MLGW Committee

BERLIN BOYD
COUNCIL CHAIRMAN

City Council Resolution

WHEREAS, on April 26th 2012, the United States Department of Justice concluded that there was reasonable cause to believe that the Juvenile Court of Memphis and Shelby County (JCMSC) failed to protect the constitutional rights of children appearing before it on delinquency matters by failing to provide constitutionally required due process, administer justice in a non-discriminatory manner, and provide reasonably safe conditions of confinement; and

WHEREAS, on December 17th 2012 Shelby County entered into a settlement agreement with the United States Department of Justice to address the administration of justice for children facing delinquency charges before the JCMSC and the conditions of confinement of children at the detention center operated by JCMSC; and

WHEREAS, there are approximately 169,706 Memphians under the age of 18 living in Shelby County which represents approximately 18% of Shelby County's total population and the majority of children in Shelby County by a very wide margin; and

WHEREAS, Shelby County has recently requested to be released from the agreement – Mayor Luttrell says “We’ve tried to meet those standards, so we felt like we’re in a position where we felt like we could legitimately ask for released from the agreement”; and

WHEREAS, There has certainly been progress in many of the sections of the agreement – the DOJ terminated 10 of the 15 sections of the agreement on April 3, 2017 because the JCMSC complied with the conditions of those sections successfully for a full year; and

WHEREAS, in January 2017 a monitor's report stated “the relative overrepresentation of black youth to white youth in court referrals continues to be an issue that has shown relatively no change over the last seven years”; and

WHEREAS, the Memphis City Council believes, just as the agreement states in its termination clause, that until the Juvenile Court of Memphis and Shelby County has substantially complied with the agreement and maintains that compliance for twelve months, the agreement should remain in place and federal oversight of the JCMSC should continue.

NOW THEREFORE, BE IT RESOLVED that the Memphis City Council requests Shelby County to amend its request to be released from its April 26th, 2012 agreement with the Department of Justice regarding the operations of the Juvenile Court of Memphis and Shelby County to include only those sections which they have complied and maintained compliance with for twelve months.

ADOPTED: June 20, 2017

MARTAVIUS JONES
Memphis City Councilman

City Council Resolution

WHEREAS, the Memphis City Council believes the current Public Art Program under the direction and administration of the Urban Art Commission has not evolved into the robust art program contemplated at its inception in 2002; and

WHEREAS, the Memphis City Council believes it to be advisable that the program be brought in-house and under the administration of the Parks Director.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the administration of the Public Art Program, the Public Art Fund and Public Art Maintenance Fund be transferred to the Parks Division and that the annual contract for UAC services not be extended beyond the current expiration period of June 30, 2017.

BE IT FURTHER RESOLVED BY THE MEMPHIS CITY COUNCIL that the FY 18 CIP Budget be hereby amended to allocate \$300,000 to the Parks Division budget for the Public Art Program.

June 20, 2017

Berlin Boyd

AN ORDINANCE TO AMEND ORDINANCE 4934 OF THE CITY OF MEMPHIS CODE OF ORDINANCES
CHAPTER 2, ARTICLE III, DIVISION 4, PUBLIC ART – PUBLIC ART PROGRAM FOR THE CITY OF MEMPHIS

WHEREAS, the City of Memphis established a Public Art Program in 2002, for the purpose of applying functional art to public spaces in the city to enhance the city's image by improving the quality of the public environment and increasing the value of public assets; and

WHEREAS, the Public Art Program was intended to recognize the importance of the "artist" as a cultural asset for the city and as a means to encourage artists to live and work in Memphis; and

WHEREAS, the 2002 ordinance was clear in its intent that artwork created under the program would be created by local artists and a significant amount of artwork funded under this program would be directed to minorities and women participants; and

WHEREAS, it is disheartening that the Public Art Program has not evolved into the robust art program contemplated at its inception in which local artists and minorities would be the primary recipients of a dedicated funding stream; and

WHEREAS, it is advisable that the city's Public Art Program be brought in-house so as to ensure that sufficient oversight and accountability is guaranteed.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 2, Article III, Division 4, Public Art – Public Art Program For the City of Memphis is hereby amended as follows:

Section 2-86. Purpose. Is hereby amended to read as follows:

The purpose of the Public Art Program, as defined herein, is to provide a dedicated funding source for art enhancements to be implemented in selected city capital improvement projects constructed by the city or with city funds.

SECTION 2.

Definitions. "Public Art Oversight Committee"

"Public Art Oversight Committee" is hereby deleted from the definitions.

SECTION 3.

Definitions. "UAC"

"Urban Art Commission" is hereby deleted from the definitions.

SECTION 4.

Section 2-88 (F) is hereby amended to read as follows:

Disbursements from the Public Art Fund and the Public Art Maintenance Fund shall be made only after authorization by the city, through its Parks Director. Disbursements shall be made according to the terms of this ordinance and any guidelines adopted by the city hereunder.

SECTION 5.

Section 2-89. Administration.

Section 2-89 is hereby amended to read as follows:

The Parks Director shall administer the Public Art Program and after consultation with the City Council and participating departments of city, administer the provisions of this ordinance relating to artwork acquisition and display, and shall adopt guidelines to:

1. Provide for annual meetings with Participating Bureaus.
2. Develop an annual plan for the Public Art Program that takes into account the views of Participating Bureaus and is consistent with all applicable city budgets.
3. Recommend to the COO for his approval the selection of Artwork to be created with Public Art Funds.
4. Provide a method for the appointment of representatives to ad hoc selection committees, created solely for the purpose of selecting artists and reviewing Artwork proposals.
5. Determine a method or methods of selecting artists for the design, execution and siting of artwork.
6. Provide quarterly reports and reviews to the City Council to account for Artwork projects funded from the Public Art Fund.
7. Clarify the responsibilities for maintenance of Artwork, including any extraordinary operations or maintenance costs associated with Artwork, prior to selection.
8. Facilitate the preservation of art objects, ethnic and cultural arts and crafts, and artifacts funded through this ordinance.
9. Determine a process to accession and deaccession Artwork, as necessary.
10. Set forth any other matter appropriate to the administration of this ordinance.

SECTION 6.

BE IT FURTHER ORDAINED, That this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller and become effective as otherwise provided by law.

BERLIN BOYD
Sponsor